

March 6, 2017

VIA Hand Delivery

Honorable Nancy Hershey Lord
United States Bankruptcy Judge
United States Bankruptcy Court
Eastern District of New York
271-C Cadman Plaza East
Brooklyn, New York 11201

**Re: Jacob Fetman (the "Debtor")
Chapter 7, Case No. 15-43716-NHL**

Dear Judge Lord,

I am writing to you as a very unusual set of circumstances which have nothing to do with my case prevents my attorney, Mr. David Carlebach, to continue and be an effective counsel. I have not had any discussion with him regarding my case in many months and Mr. Ira Abel, who appeared before you these past months as of-counsel to Mr. Carlebach, shared with me that he has not seen Mr. Carlebach in some time and is communicating with him only intermittently, and only by email.

Emails and phone messages to Mr. Carlebach are bouncing back and not being responded to. Furthermore, it is my understanding that the office in which I met and retained Mr. Carlebach was taken over by the Sheriff or Marshall and reverted back to the landlord. Many of the original documents which were given to Mr. Carlebach during my court case are now lost and I am left with no representation at this very critical juncture of my case.

I would like to make certain corrections to the impression that Aish and the trustee generated over this court case. Once a part of the misguided "decision" by Rabbi Cohen was confirmed, we immediately took an appeal. In fact, my appeal brief and the complete printing of the record, at a total cost of over \$40,000, was submitted to the appellate division prior to the bankruptcy court filing. Ever since, Aish and to a certain extent the Trustee, has been using every academic excuse to not allow the case in the appellate court to proceed. Aish and the Trustee have created an extremely complex set of legal hoops — indexes that are appealable and others that, while meaningless and not important, must now be removed from the record. The end result being a decision by the appellate court I just received on Friday March 3rd (A) stating that while they grant our motion to sever certain indexes, a new filing of our brief and complete record is required. After months of haggling in Your Honor's court, Aish won this war of attrition — they have not filed a brief to an appeal that was filed in early August 2015 — a Judgment that Your Honor was extremely skeptical with at the very first hearing we had in this case. The \$20 million decision by Rabbi Cohen that was confirmed by Judge Demarest without looking into any of the merits of the claim, a Judgment that is so bizarre and indefensible that we believe the Appellate division will

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U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Honorable Nancy Hershey Lord

Page 2

vacate it – not only because the arbitration violated public policy because of the “No Sunday Arbitration rule”, but also because of the numerous physical and psychological intimidation techniques, and virulent and bold faced collusion between Aish and Rabbi Cohen throughout this “arbitration.” That collusion is still ongoing. For example, immediately after the appellate court decision in Mr. Behar’s case (Mr. Behar appeared in your honor’s court room and explained in detail that this case is similar to his original case in which the appellate division ruled that the award is “reversed on the law, the petition to confirm the arbitration is denied, the arbitration award is vacated and the proceeding is dismissed” (B)) - Once that decision became public in late June 2016, that decision which states that an arbitration conducted on a Sunday is VOID –, Aish, being very nervous that their case is about to collapse, rustled Rabbi Cohen from his summer vacation at Camp Munk upstate New York and had him issue a stern warning to me via a letter to “settle the case immediately – or else... ” - (C).

At the most recent court hearing Your Honor held, at the point where Mr. Behar presented his assertion that the Appellate division already RULED in his case, which is similar to our case that the arbitration was void because of the Sunday issue, Your Honor made at numerous times the comment that Your Honor would not want to make a decision that in effect lends any credibility to one side or another, and therefore took the issue under ‘submitted’. Respectfully, Your Honor NOT making a decision to allow me to go back to the Supreme Court to re-argue my case based on the Sunday Rule, is in itself a decision that the Sunday rule alone is not enough to vacate this judgment – otherwise we are all wasting much time and expending large sums of money for a decision that can be made by the Supreme Court vs. waiting for months and perhaps years for the appeals court decision while the Trustee keeps the pressure to sell disputed properties even when everyone realizes that Aish “claim,” which was never validated for merit, will be vacated.

Aish is hiding behind the vale of Jewish Law – claiming the “arbitration” was conducted in the proper way that Jewish Law provides for such arbitration. There is a reason why Torah Law requires three arbitrators, there is a reason why Torah Law prohibits communication between parties and an arbitrator done secretly without the consent of the other party. There is a reason why intimidating parties by threats and innuendos are prohibited by Torah law. In fact, when the leading Jewish Halachic Arbitrator of our generation, the late Rabbi Belsky, head of the OU, thru his honorable Beit Din issued a proclamation against Aish for not agreeing to come to explain their case, he used very strong words - “It is not to be believed that people who lead such an organization (eg – Aish) do not pay attention to the Torah law” (D).

I have been bombarded by emails from the Auctioneer and the Trustee intimidating and threatening me to provide documents, some of which I don’t have any more because they were given to Mr. Carlebach (and in large part produced to the Trustee). Furthermore, my father, who is in control of the Tenth Ave. houses had to fly to Israel in an emergency, to look after his ailing 93 years old Holocaust survivor mother, my grandmother. He is not here to provide any documents that he may maintain.

Honorable Nancy Hershey Lord
Page 3

I respectfully request a stay so that I am able to retain another attorney to replace Mr. Carlebach, who will assess the situation, evaluate our documents and continue and allow me to be represented.

Sincerely,

Jacob Fetman

Cc (by email)

Bruce Weiner, Esq.
David Carlebach, Esq.
Mark Frankel, Esq.
Jon Lefkowitz, Esq.
Andrew Citron, Esq.
Greg Messer, Esq.

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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U/sl

MARK C. DILLON, J.P.
SHERI S. ROMAN
SYLVIA O. HINDS-RADIX
COLLEEN D. DUFFY, JJ.

2014-10945, 2015-00047, 2015-00049,
2015-04167, 2015-06914, 2015-06916,
2015-06917, 2015-07374

DECISION & ORDER ON MOTION

In the Matter of Aish Hatorah New York, Inc.,
petitioner-respondent, v Jacob Fetman, etc.,
respondent-appellant; Merkaz Center, Inc.,
nonparty-appellant.

(Index No. 22057/13)

Motion by the respondent-appellant on appeals from seven orders of the Supreme Court, Kings County, dated April 30, 2014, September 29, 2014, December 17, 2014, March 5, 2015, April 23, 2015, July 6, 2015, and August 6, 2015, respectively, and a judgment of the same court dated October 7, 2014, in effect, to sever the appeals from the orders dated September 29, 2014, December 17, 2014, and July 6, 2015, and the judgment, from the remaining appeals, and to direct the petitioner-respondent to expeditiously serve and file a brief in connection with those appeals. Separate motion by the petitioner-respondent to strike stated portions of the joint record and the respondent-appellant's brief.

Upon the papers filed in support of the respondent-appellant's motion and the papers filed in relation thereto, and upon the papers filed in support of the petitioner-respondent's motion and the papers filed in opposition thereto, it is

ORDERED that the respondent-appellant's motion is granted, the appeals from the orders dated September 29, 2014, December 17, 2014, and July 6, 2015, and the judgment are severed from the appeals from the orders dated April 30, 2014, March 5, 2015, April 23, 2015, and August 6, 2015, the joint record, the respondent-appellant's brief, and the nonparty-appellant's brief are stricken, and on or before March 29, 2017, the appellants shall serve and file a joint record and their respective replacement briefs on the appeals from the orders dated September 29, 2014,

March 1, 2017

MATTER OF AISH HATORAH NEW YORK, INC. v FETMAN

Page 1.

December 17, 2014, and July 6, 2015, and the judgment (Appellate Division Docket Nos. 2014-10945, 2015-06914, 2015-06917, and 2015-00049); and it is further,

ORDERED that the petitioner-respondent's motion is denied as academic.

DILLON, J.P., ROMAN, HINDS-RADIX and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

No Shepard's Signal™
As of: December 22, 2016 10:07 PM EST

Matter of Leifer v Gross

Supreme Court of New York, Appellate Division, Second Department

June 15, 2016, Decided

2014-07617, 2014-10809

Reporter

140 A.D.3d 959 *; 32 N.Y.S.3d 514 **; 2016 N.Y. App. Div. LEXIS 4557 ***; 2016 NY Slip Op 04715 ****

[***1] In the Matter of Baruch Pinchus Leifer, also known as Baruch Leifer, et al., respondents, v Yechiel Mechel Gross, also known as George Gross, appellant. (Index No. 12143/13)

Notice: THE LEXIS PAGINATION OF THIS DOCUMENT IS SUBJECT TO CHANGE PENDING RELEASE OF THE FINAL PUBLISHED VERSION.

THIS OPINION IS UNCORRECTED AND SUBJECT TO REVISION BEFORE PUBLICATION IN THE OFFICIAL REPORTS.

Core Terms

arbitration award, petition to confirm, vacated

Counsel: [***1] Leon I. Behar, P.C., New York, NY, for appellant.

Judges: CHERYL E. CHAMBERS, J.P., L. PRISCILLA HALL, LEONARD B. AUSTIN, HECTOR D. LASALLE, JJ. CHAMBERS, J.P., HALL, AUSTIN and LASALLE, JJ., concur.

Opinion

[*959] [514] DECISION & ORDER**

In a proceeding pursuant to CPLR article 75 to confirm an arbitration award dated July 5, 2012, Yechiel Mechel Gross, also known as George Gross, appeals from (1) an order of the Supreme Court, Kings County (Ash, J.),

dated June 16, 2014, which granted the petition to confirm the arbitration award, and (2) an order of the same court dated September 19, 2014, which denied his motion for leave to reargue his opposition to the petition to confirm the arbitration award.

ORDERED that the appeal from the order dated September 19, 2014, is dismissed, as no appeal lies from an order denying reargument; and it is further,

ORDERED that the order dated June 16, 2014, is reversed, on the law, the petition to confirm the arbitration award is denied, the arbitration award is vacated, and the proceeding is dismissed; and it is further,

ORDERED that one bill of costs is awarded to the appellant.

Since the arbitration hearing was conducted on a Sunday in violation of Judiciary Law § 5, which "expresses the public [**515] policy of the State, [***2] and cannot be waived," the arbitration award is illegal and void (Matter of Brody v Owen, 259 App Div 720, 721, 18 N.Y.S.2d 28). Accordingly, the award is vacated and the proceeding is dismissed.

In light of our determination, it is unnecessary to reach the appellant's remaining contentions.

CHAMBERS, J.P., HALL, AUSTIN and LASALLE, JJ., concur.

Page 2 of 2

140 A.D.3d 959, *959; 32 N.Y.S.3d 514, **515; 2016 N.Y. App. Div. LEXIS 4557, ***2; 2016 NY Slip Op 04715,
****1

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JOSEPH ZELMANOVITZ

son

To Jacob Petman
1743 Ocean ave
11230

July 6, 16

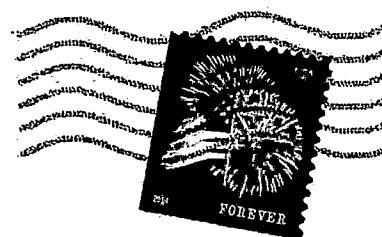
It is customary to warn someone before
a suit is written.
This communication is for the above
purpose. You have two weeks to comply to settle
with Disk Hatorah.

JNCP 313

D Cohen
Camp Munk
po B 218
Ferndale NY
12734

TRENTON MUSEUM

07 JUL 2016 PH 34



Jacob Fetman
1743 Ocean ave
Brooklyn NY
11230

11230-540243

RABBI YISROEL BELSKY'S BAIS DIN ISSUES

SIRUV

**Relating the controversies between the plaintiffs and the defendants
Yitzchok Greenman, David Markowitz on behalf of the
organization Aish HaTorah**

To whom it may concern,
This Bais Din sent three summonses to these defendants at the request of the above plaintiff and with these summonses was included a warning to remove from the secular court the lawsuit that they filed there with no justification or permission. Until this day, to our regret, the defendants did not come to Bais Din, and continued with the foregoing law suit and thus transgressed everything that is written in Choshen Mishpat 26:1

They completely ignored everything and did not move or budge notwithstanding all the summonses. It is not to be believed that people who lead such an organization do not pay attention to the Torah law. In the opinion of the Bais Din they are in contempt of Torah law as explained in Shulchan Aruch Choshen Mishpat 11, and everything that is written in Shulchan Aruch Yoreh De'Ah 334 applies to them as well and **anybody that can influence them to repent from their evil ways and come to Din Torah should do so and it will be a Mitzvah.**

Signed

*Rabbi Chaim Yisroel Halevi Belsky, Dayan
Rabbi Yaakov Liberman, Dayan
Rabbi Avrohom Yosef Roth, Dayan*

Mailing Address:
Badatz Btzedek Tishpoit
239 Foster Avenue
Brooklyn, NY 11230

Badatzzy" בָּדָצֶץ

poit בְּטַזֵּדֶק Tishpoit תִּשְׁפּוֹיט

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C/O Kenneth Greenman
313 West 83rd St.
NY, NY 10024
Home address:
125 Ridge Ave
Passaic, NJ 07055
Phone 2129219090
Yyitz@aol.com
 2. David Markowitz CO
Aish Hatorah NY
29 Edgewood Ave
Passaic, NJ 07012
dmarkowitz@aish.com

בדוד שביב התבע הרב משה ח"מ פערטמאן לבין הנוגכעים יצחק גראנמן ודוד מאראקאווייטש

לכל מאן דבעי למידע

הבט"ד שלח שלש הזמנות להנתקעים הנ"ל ועוד הימים לא באו לב"ד, גם שלחם מכתב להעורך דין שלחם לחודיע להם שהחייבים לבוא לב"ד להתדיין עם התובע הג"ל, אבל לדאכוןנו עד"ז לא באו לב"ד, והטוראים מתירוצים שונים, אבל כל אלו הם רק תירוצים ואין להם שום תוקף, ולדעתי הב"ד הנתקעים הנ"ל הם בגדיר מסרבים לדין תורה, וכל משלכותם בשעו יוציא ש"ל"ד ש"יכים גם להם, וכל מי שיוכן להשפיע עליהם לשוב-מדרכו הרעה ולבוא לידי"ת יעשה כן ולמצואה יחשב.

A collage of various business cards from the Badatz Bzdelek Tishpoit network, featuring names like Alsh, CJO Kenneth Greenman, David Markowitz CO, and others, along with their contact information and the logo for Badatz Bzdelek Tishpoit.

ללא מזון אנדבייל למדיעת
הבר"ג שלוח שלחו שליח הוועדה להנחיותיהם הא"ר ברכבת התובען נהג ר' נון והחומרה ה' נון
ובו מתוארות הילאינו יפה שעה א' את התבשלה שהאנטיש פול' ב' ו' והשכנים עם התבשלה ה' נון וחושך ו' נון
שכנוע לאלה בראם אל' בראם המהנטיש פול' ב' ו' והשכנים עם התבשלה ה' נון ו' נון
שכנוע לאלה בראם אל' בראם המהנטיש פול' ב' ו' סענ' א' ע' סענ' א' ע'

ונל' יוז שילוח הצעיר לארם לאון מדרמת תרעה ורבא לא-ליד' יששה כו' ותמהות יוזה
ועיל' בירחה בום — ז' לחנוך איזוד — שענין לא-פ'.

13 1961 DINO

mail Address: israel@kirkpoli.com Tel: 718-854-1512 Fax: 206-939-1787 Cell: 347-263-9586

Email Address: btrdedektishpoir@gmail.com Tel: 718-854-1512 Fax: 206-339-1787 Cell: 347-263-9966

בס"ד

Mailing Address:
 Badatz Btzedek Tishpoit
 239 Foster Avenue
 Brooklyn, NY 11230



בນשיאות הרה"ג ח"י הלוי בעלסקי שליט"א מלפנים בד"צ ע"י כל אברום והישבה

1. Aish hatorah NY inc.
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NY, NY 10024

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 Phone 2129219090

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 dmarkowitz@aish.com

בדו"ד שבין התובע הרב משה חיים פעטמאן לבין הנتابעים יצחק גרינמאן ודוד

ماركowitz

כל מען דבוי למידע:

הבו"ד שלח שלוש הzmanot להנתבעים הנ"ל ועד היום לא באו לב"ד, גם שלחם מכתב להעורך דין שלהם להודיע להם שהי"בם לבוא לב"ד להמתדיין עם התובע הנ"ל, אבל לדאבוננו עדין לא באו לב"ד, והתירוצים מתירוצים שונים, אבל כל אלו הם רק תירוצים ואין להם שום תוקף, ולדעת הב"ד הנتابעים הנ"ל הם בגדר מסרבים לדין תורה, וכל מה שכותב בשו"ע י"ד ס"י של"ד שייכם גם להם, וכל מי שיצליח להשפיע עליהם לשוב מדרכם הרעה ולבוא לידי"ת יעשה כן ולמצוה יחשב.

וע"ז בעה"ח ביום ה' — לחודש תמוז — תשע"ה לפ"ק

נאום מאיר מילון (כגון נספחים בזאת)

נאום מאיר מילון (רומי כהנוב ז' צ' 1)

נאום מאיר מילון (ז' צ' 1)



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בס"ה

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Btzedek Tishpoit

בנשיאות הרה"ג ח"י הלוי בעلسקי שליט"א מלפנים בד"צ ע"כ כולל אברכים והישיבה

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בחו"ד שבין התובע שמואל לעפק אווויטש לבין הנتابעים יצחק גרינמאן ודוד מאיר אווויטש
בא"כ מօוד אש התורה
לכל מאן דבוי למידע:

הבי"ד שלח שלוש הזמנות להנתבעים הנ"ל בבקשת התובע הנ"ל, ועם ההזמנות הי' נכלל
גם התראה להוציא מן העש"ג את התביעות שהכניסו לשם בלי שום היתר או רשות, ועוד
היום לדאבוננו לא באו הנتابעים לבג"ד, והמשיכו עם התביעות הנ"ל ובזה עוברים כל מה
שכתוב בחו"מ ס"י כ"ז סע"י א"ע"ש.

וממש העלוינו עין מכל וכל ולא קמו ולא צעו מכל ההזמנת, ולא יאומן כי יוספר שאנשים
המנהלים למוסד זהה אינם צייתים לדין תורה, ולדעת הבג"ד הם בגין מסרבם לדין תורה
כambil ע"פשו"ע חו"מ ס"י י"א, וכל מה שכתב בשו"ע י"ד ס"י של"ד שייכים גם להם,
וכל מי שי יכול להשפיע עליהם לשוב מדרכם הרעה ולבוא לידי"ת יעשה כן ולמצוה יחשב.

וע"ז בעה"ח ביום ג' לחודש תר"א – תשע"ה לפ"ק



נאום ד"ר יגאל גולן ג"ג

נאום ד"ר יגאל גולן ג"ג

נאום ד"ר יגאל גולן ג"ג